

Message

**From:** Baca, Andrew [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=4F4BB31FB6E94C0AA9756706CC1C888C-BACA, ANDREW]  
**Sent:** 9/22/2021 6:41:21 PM  
**To:** Lindsey Bloom [lindsey@salmonstate.org]; Nishida, Jane [Nishida.Jane@epa.gov]; Hackel, Angela [Hackel.Angela@epa.gov]; Pirzadeh, Michelle [Pirzadeh.Michelle@epa.gov]; Lance, Kathleen [Lance.Kathleen@epa.gov]; Dieu, Martin [Dieu.Martin@epa.gov]; Stewart, Lakita [Stewart.Lakita@epa.gov]; Chase, Joann [Chase.Joann@epa.gov]; Wilson, Wenona [Wilson.Wenona@epa.gov]; Opalski, Dan [Opalski.Dan@epa.gov]  
**CC:** [Ex. 6 Personal Privacy (PP)] [Ex. 6 Personal Privacy (PP)]  
**Subject:** RE: Meeting on Proposed Donlin Gold Mine in Southwest Alaska  
**Attachments:** Donlin 3a Comment Letter\_05-31-2016.pdf; Donlin 3b Comment Letter\_06\_27\_2016.pdf; SPN-1995-120 EPA 404 Comment letter 5-29-18.pdf; SPN-1995-120 Enclosure to EPA 404 comments 5-29-18 .pdf; USACE CWA 404 Donlin RA 08102018 .pdf

Ms. Bloom,

Thank you for reaching out. To provide a timely response to your follow up request I'm attaching the 3(a) and 3(b) letters as well as some additional materials regarding this project. I will also check in with my colleagues in EPA's Office of Water and Office of International and Tribal Affairs regarding any other outstanding action items from our meeting.

Andrew

Andrew Baca  
Director, Regional Administrator's Division  
US EPA Region 10  
(206) 553-6387

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**From:** Lindsey Bloom <lindsey@salmonstate.org>  
**Sent:** Monday, September 20, 2021 9:00 AM  
**To:** Nishida, Jane <Nishida.Jane@epa.gov>; Hackel, Angela <Hackel.Angela@epa.gov>; Pirzadeh, Michelle <Pirzadeh.Michelle@epa.gov>; Lance, Kathleen <Lance.Kathleen@epa.gov>; Dieu, Martin <Dieu.Martin@epa.gov>; Stewart, Lakita <Stewart.Lakita@epa.gov>; Chase, Joann <Chase.Joann@epa.gov>; Wilson, Wenona <Wilson.Wenona@epa.gov>; Baca, Andrew <Baca.Andrew@epa.gov>

**Cc:** [Ex. 6 Personal Privacy (PP)] [Ex. 6 Personal Privacy (PP)]  
[Ex. 6 Personal Privacy (PP)]

**Subject:** Re: Meeting on Proposed Donlin Gold Mine in Southwest Alaska

One more follow-up request, can EPA please provide us with a copy of the EPA's 3(a) letter pertaining to Donlin? The tribes have only been able to find copies of the 3(b) letter. Thank you!

On Sun, Aug 22, 2021 at 9:57 PM Lindsey Bloom <lindsey@salmonstate.org> wrote:

Dear Ms. Nishida, Ms. Wilson, Ms. Pirzadeh, Ms. Chase and Mr. Baca,  
Thank you so much for taking the time to meet with us in the Kuskokwim region of Alaska last week. Especially [Ex. 6 Personal Privacy (PP)]  
indeed serve our efforts to protect the rivers, lands and salmon to which we and our future generations also belong.

We felt so hopeful to hear the assurances of your agency to uphold your responsibilities under the Clean Water Act to help ensure the protection of our homelands.

We were also heartened by your recognition of our Nation to Nation relationship and commitment to take a look at the actions taken under the previous administration regarding the Donlin project. In particular, we would very much like to know what happened to the 3(b) notice to the Corps from the EPA, the reason EPA did not elevate the issue, and how exactly the Clean Water Act Issues were resolved between the agencies.

We are also grateful for your offer to help connect us with the US. Army Corps of Engineers so that they might hear our concerns and answer those same questions as well.

Attached to this email is a summary of our concerns with the project as well as the more significant region-wide resolutions of opposition.

Again we are very grateful for the time and attention you all provided last week and look forward to continued dialogue and cooperation. Quyana (Yupik for Thank You)

On Fri, Aug 6, 2021 at 5:48 PM Lindsey Bloom <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)> wrote:

Jane -

Please find attached a briefing document and below bio's of the Tribal Representatives attending next weeks meeting:

Richard Slats is a Cup'ik of Chevak, Alaska. He is bilingual with English as his second language. His secondary education has been with the University of Alaska Fairbanks (UAF) and Western Oregon State College, and he earned his Associate of Arts degree through the UAF Kuskokwim Campus in Rural Human Services. He is the 2nd Chief of Chevak Native Village and is currently a member of the Chevak Company Corporation Board of Directors. He is serving his third year of Bering Sea Elders Group Executive Committee as Secretary. He has been appointed to the North Pacific Fisheries Management Council's Local and Traditional Knowledge Task Force integrating local and traditional knowledge into the NPFMC's process. Richard is also a lifelong subsistence hunter and fisher.

Natalia Brink is President of Kasigluk Traditional Council and is a member of the Child Protection Team as well as a member of the Land Planner Committee. She graduated from Akula Elitnaurvik school and loves the outdoors and to help her community however she can in her service as President.

Fred Phillip served for many years as the President of his Tribe, Native Village of Kwigillingok, and as a Tribal citizen is offering his knowledge to the newly led Council. Fred serves as Chairman of the Board on Bering Sea Elders and has done work to promote food security for his people by steering legislation at the Congressional level and through an Executive Order during the Obama Administration. Fred has also served on the Board of his regional corporation, Calista Corporation, as well as on the Board of Coastal Villages Region Fund. He served his country in the Navy and then in The National Guard and was honorably discharged from both when his service was done.

Gloria Simeon is of Dene' and Yup'ik descent. She is a Tribal citizen of Orutsararmiut Native Council and serves her Tribe as a Council member. She has been a strong voice of opposition to the Donlin Gold project and has led efforts to protect the Yukon-Kuskokwim Region. Gloria was a delegate at the National Congress of American Indians in 2019 and was instrumental in passing a

resolution of opposition against the Donlin Gold project and the Pebble Mine. Recently she represented Mother Kuskokwim River virtually on the Red Road to DC.

On Thu, Jul 29, 2021 at 4:10 AM Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)> wrote:

Lindsey

Yes, I can make myself available to meet with the Tribal Representatives from Yukon-Kuskokwim Delta Tribes on August 10. I have copied my assistant, Lakita Stewart, who can help with scheduling this meeting with me and JoAnn Chase, Director of EPA's American Indian Environmental Office.

We look forward to this meeting.

Best regards,

Jane

**Jane Nishida**

**Acting Assistant Administrator**

**Office for International and Tribal Affairs**

**US Environmental Protection Agency**

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**From:** Lindsey Bloom <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)>

**Sent:** Wednesday, July 28, 2021 9:02 PM

**To:** scheduling <[scheduling@epa.gov](mailto:scheduling@epa.gov)>

**Cc:** Kasman, Mark <[Kasman.Mark@epa.gov](mailto:Kasman.Mark@epa.gov)>; Hackel, Angela <[Hackel.Angela@epa.gov](mailto:Hackel.Angela@epa.gov)>; Dieu, Martin <[Dieu.Martin@epa.gov](mailto:Dieu.Martin@epa.gov)>; Nishida, Jane <[Nishida.Jane@epa.gov](mailto:Nishida.Jane@epa.gov)>; Chase, Joann <[Chase.Joann@epa.gov](mailto:Chase.Joann@epa.gov)>; Lance,

Kathleen <[Lance.Kathleen@epa.gov](mailto:Lance.Kathleen@epa.gov)>

**Subject:** Re: Meeting on Proposed Donlin Gold Mine in Southwest Alaska

Dear all -

We have been able to calendar a meeting with Ms. Libby Washburn of the Domestic Policy Council on August 10th. Because we will have Tribal Representatives flying in from outlying communities for this virtual meeting we are hoping that we may be able to schedule something with you on the same day for efficiency (they don't have broadband internet in many villages for video meetings). Thank you for letting me know!

On Fri, Jul 16, 2021 at 2:30 PM Lindsey Bloom <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)> wrote:

Received, thank you! We look forward to being in touch to schedule a meeting. Please excuse any delay in correspondence on our and as we are in the heart of salmon season and working hard on fishing activities! :)

On Fri, Jul 16, 2021 at 1:33 PM scheduling <[scheduling@epa.gov](mailto:scheduling@epa.gov)> wrote:

Good afternoon Lindsey –

Thank you for your message and meeting request.

By copy of this email, I am connecting you with Jane Nishida, Principal Deputy Assistant Administrator for the Office of International and Tribal as well as Joann Chase, Director of the American Indian Environmental Office. They or their team will be reaching out to you to follow-up on your message.

Thank you!

Scheduling Team

Office of Administrator Michael S. Regan

[scheduling@epa.gov](mailto:scheduling@epa.gov)

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**From:** Lindsey Bloom <[lindsey@salmonstate.org](mailto:lindsey@salmonstate.org)>  
**Sent:** Friday, July 9, 2021 7:57 PM  
**To:** Regan, Michael <[Regan.Michael@epa.gov](mailto:Regan.Michael@epa.gov)>; Fox, Radhika <[Fox.Radhika@epa.gov](mailto:Fox.Radhika@epa.gov)>  
**Cc:** best-wong.benita@epa.gov; Dieu, Martin <[Dieu.Martin@epa.gov](mailto:Dieu.Martin@epa.gov)>; Enobakhare, Rosemary <[Enobakhare.Rosemary@epa.gov](mailto:Enobakhare.Rosemary@epa.gov)>  
**Subject:** Meeting on Proposed Donlin Gold Mine in Southwest Alaska

Delivered on behalf of: Tuluksak Native Community, Kasigluk Traditional Council, Nunapitcuk IRA Council, Chevak Native Village and Orutsararmiut Native Council

July 9, 2021

Michael S. Regan  
Administrator  
Environmental Protection Agency  
Mail Code: 1101A

1200 Pennsylvania Avenue NW

Washington, DC 20460  
[regan.michael@epa.gov](mailto:regan.michael@epa.gov)

Radhika Fox  
Principal Deputy Assistant Administrator  
Environmental Protection Agency

Mail Code: 4101M

1200 Pennsylvania Avenue NW  
Washington, DC 20460  
[fox.radhika@epa.gov](mailto:fox.radhika@epa.gov)

Re: Meeting on Proposed Donlin Gold Mine in Southwest Alaska

Dear Administrator Regan and Principal Deputy Assistant Administrator Fox:

We, the undersigned Tribes, request a meeting to discuss the Donlin Gold Project, a proposed open-pit gold mine in southwest Alaska. The mine would be the largest pure gold mine in the world and would be located just 10 miles from the Kuskokwim River. The mine threatens the Kuskokwim River watershed and the entire Yukon-Kuskokwim Delta, where our people have lived and stewarded the lands and waters for millennia.

The vibrant Yukon-Kuskokwim region is home to three Alaska Native cultures, Yup'ik, Cup'ik, and Athabascan, and is more than 80 percent Alaska Native. In our region, more than 14,000 people speak Yup'ik. Our ways of life and the health of our Tribal citizens and community members depend upon the region's abundant fish, wildlife, and other natural resources. We especially rely on salmon, rainbow smelt, and other anadromous and resident fish in the Kuskokwim River. Even if the mine operates as planned, it will destroy over 30 miles of stream habitat and 2,000 acres of wetlands, causing significant restrictions to our subsistence uses, violating state water quality standards, and significantly degrading the aquatic environment. Further, just a single failure of the water treatment system or tailings dam would cause catastrophic damage to our environment, cultural resources, and the health of our Tribal citizens and community members.

The Environmental Protection Agency (EPA) plays a critical role in the implementation of the Clean Water Act and has the power to issue a veto for a 404 permit. In August 2018, under the Trump Administration, the U.S. Army Corps of Engineers approved a questionable 404 permit for the Donlin Gold Project without meaningful consultation with our Tribal governments. The Army Corps did so notwithstanding EPA's finding that the project will have a substantial and unacceptable impact on aquatic resources of national importance in violation of agency regulations. As the State of Alaska has repeatedly declined to consult with us regarding the Donlin Gold Project, meaningful government-to-government consultation between the United States and Tribes takes on even greater importance.

Consistent with President Biden's executive orders recognizing the importance of tribal sovereignty and self-governance and prioritizing environmental justice, we request you meet with us to discuss the Donlin Gold Project and the threats it poses to our traditional lands and waters in the Yukon-Kuskokwim region. We also request that, if circumstances permit, these meetings be in-person. We further request that any meeting be arranged in the following window: August 9-25 with no less than one week's notice. This would facilitate tribal participation and minimize conflict with traditional subsistence practices. In addition, please be aware that we are also requesting meetings with the following agencies and entities:

- U.S. Army Corps of Engineers;
- U.S. Department of the Interior;
- U.S. Bureau of Land Management;
- U.S. Fish and Wildlife Service;
- White House Council on Environmental Quality; and
- White House Domestic Policy Council.

This land is our home; the Kuskokwim River and its fish are our life. Decisions that threaten our home and our life cannot be made without us.

Thank you for considering our request. We look forward to hearing from you. Please contact Melanie Brown ([melanie@salmonstate.org](mailto:melanie@salmonstate.org)) and Lindsey Bloom ([lindsey@bloominalaska.net](mailto:lindsey@bloominalaska.net)) to coordinate discussion of this request.

Sincerely,

The Undersigned Yukon-Kuskokwim Delta Tribes

Orutsararmiut Native Council

Chevak Native Village  
Native Village of Nunapitchuk IRA Council

Kasigluk Traditional Council

Tuluksak Native Community

cc: Benita Best-Wong, Deputy Assistant Administrator, Office of Water ([best-wong.benita@epa.gov](mailto:best-wong.benita@epa.gov))

Juan Sabater, Special Assistant, Office of Water ([sabater.juan@epa.gov](mailto:sabater.juan@epa.gov))

Jane Nishida, Principal Deputy Assistant Administrator, Office of International & Tribal Affairs ([nishida.jane@epa.gov](mailto:nishida.jane@epa.gov))

Martin Dieu, Chief of Staff, Office of International & Tribal Affairs ([dieu.martin@epa.gov](mailto:dieu.martin@epa.gov))

Rosemary Enobakhare, Associate Administrator for Public Education and Outreach ([enobakhare.rosemary@epa.gov](mailto:enobakhare.rosemary@epa.gov))

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